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October 30, 2006

VIA ELECTRONIC FILING

The Honorable Kent A. Jordan
United States District Court
844 King Street
Wilmington, DE 19801

Re: *Ampex v. Eastman Kodak Company, et al.*,
C.A. No. 04-1373-KAJ

Dear Judge Jordan:

We represent defendants in the above-captioned action. Trial in this case is scheduled to start December 4, 2006 (pending disposition of the parties' summary judgment motions), and the pretrial conference is scheduled for November 6, 2006. We write regarding scheduling issues for William Lee, lead trial counsel for defendants.

First, Mr. Lee is currently scheduled to be in trial on the date of the pretrial conference in *Procter & Gamble Co. v. Teva Pharmaceuticals* (1:04-cv-00940-JJF), which is pending in Delaware before Judge Farnan. With the Court's permission, Mr. Lee requests that his co-counsel, Michael Summersgill and Calvin Walden from the Wilmer Hale firm, and I, be allowed to attend the Pretrial Conference on behalf of defendants.

Second, Mr. Lee was also just notified that oral argument in an action in which he is slated to argue in the Federal Circuit in Washington, D.C. in *Third Wave Tech v. Stratagene* (2006-1209) has been scheduled for December 7, 2006, at 2:00 p.m. We inform the Court of this potential scheduling conflict with trial in this action, and ask the Court's guidance as to how to proceed.

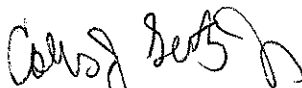
Honorable Kent A. Jordan

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We regret any inconvenience that this may cause the Court, and the parties and can provide further details at the pretrial conference next week.

Respectfully,

A handwritten signature in black ink, appearing to read "Collins J. Seitz, Jr.", with a stylized flourish at the end.

Collins J. Seitz, Jr.
(DE Bar No. 2237)

CJS,Jr./saj

cc: Jesse J. Jenner, Esquire (by electronic mail)
Norman H. Beamer, Esquire (by electronic mail)
Jack B. Blumenfeld, Esquire (by electronic mail)
Michael J. Summersgill, Esquire (by electronic mail)